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Attorneys for East-West Transport Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

FLEET CONNECT SOLUTIONS LLC,

Plaintiff,

v.

EAST-WEST TRANSPORT INC.,

Defendant.

Case No. 2:20-cv-02306-GMN-NJK

**MOTION TO EXTEND DEADLINE TO
FILE CERTIFICATION OF
DISCLOSURES—LPR 1-5(b)**

(First Request)

1 Defendant East-West Transport, Inc. ("East-West") hereby moves to extend the deadline to
2 file its notice certifying compliance with LPR 1-6 through 1-11. This Motion is made pursuant to
3 LPR 1-5(b) and is based on the attached Memorandum of Points and Authorities and supporting
4 documentation, the papers and pleadings on file in this action, and any oral argument this Court
5 may allow.

6 This is East-West's first request for this extension of time. Plaintiff has advised it will not
7 oppose this Motion.

8 DATED this 8th day of July, 2021.

9
10 /s/ Patrick J. Reilly

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**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
MOTION TO EXTEND DEADLINE TO FILE CERTIFICATION
OF DISCLOSURES—LPR 1-5(b)**

Local Patent Rule 1-5(b) requires the parties to file with the Court a notice “certifying that all disclosures required under LPR 1-6 through 1-11 have been timely provided.” The rule further provides the notice must be filed within seven (7) days “after the deadline for service of the disclosures required under LPR 1-10.” *Id.* While East-West timely served its required disclosures, it failed to file the required notice of certification within seven (7) days after the deadline for service of the required disclosures. East-West now seeks to extend that deadline, as required by LPR 1-5(b) (“Any variation from these deadlines requires court approval.”).

As mentioned previously, East-West timely provided its disclosures as required by LPR 1-6 through 1-11. Specifically, on June 3, 2021, East-West served its Disclosure of Non-Infringement, Invalidity, and Unenforceability Contentions (LPR 1-8) and Document Production Accompanying Invalidity Contentions (LPR 1-9). No other disclosures were required of East-West within the scope of those local patent rules. Plaintiff’s responses were due on June 17, 2021, per LPR 1-10, making East-West’s LPR 1-5(b) notice due on June 24, 2021. East-West inadvertently failed to file the LPR 1-5(b) notice of compliance with this Court.

As a substantive matter, East-West has complied with the overriding requirement—making its disclosures to Plaintiff in a timely manner. As a result, there is no prejudice to Plaintiff. In addition, the deadline only recently passed, and therefore the short delay has caused no prejudice to the Court or its docket.

Counsel does apologize for the lateness of the certification and the need for this Motion. The omission, however, was inadvertent and East-West therefore asks this Court to set a firm deadline for East-West to file a notice certifying its compliance with local rules, per LPR 1-5(b).

Plaintiff has advised it will not oppose this Motion.

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1 East-West and their counsel thank the Court for its time and attention to this matter.

2 DATED this 8th day of July, 2021.

3
4 /s/ Patrick J. Reilly

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17 *Attorneys for East-West Transport Inc.*

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22 IT IS SO ORDERED.

23 Dated: July 9, 2021

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Nancy J. Koppe
United States Magistrate Judge